

REMARKS/ARGUMENTS

Reconsideration is respectfully requested of the Final Action of November 15, 2007, relating to the above-identified application.

A request for a three month extension of time and a Request for Continued Examination, together with the associated fees, are filed herewith.

The claims in the case are 18, 19, 21-24, 26 and 27.

Claim 18 is the sole independent claim in this application and is now amended to specify that the titanium alkoxide and zirconium alkoxide are mixed in the presence of an organic acid as disclosed in the application (para. [0025]).

Counsel acknowledges with appreciation the courtesy of the Examiner in granting the interview by telephone on April 24, 2008, at which time the foregoing amendment to the claims was discussed as a proposal. The Examiner suggested that an appropriate amendment to the claim be filed with a short response.

The rejection of Claims 18, 22, 24, and 26-27 under 35 U.S.C. § 102(e) as anticipated by *Kim*, US 6,855,661 is traversed and reconsideration is respectfully requested.

The Final Action takes the position that *Kim* shows a process for preparing an exhaust gas purification catalyst by (1) preparing a solution of precursors of a zirconia-titania composite oxide; (2) adding an alkali solution to co-precipitate the solution to form a gel; (3) drying, shaping and calcining the gel to form a composite oxide; and (4) depositing thereon a catalytically active metal.

Applicants' Claim 18 (and therefore each of dependent Claims 22, 24, and 26-26) has now been amended to specify that the titanium alkoxide and the zirconium alkoxide are mixed together in the presence of an organic acid, as defined on page 7, lines 26-28; see para. [0025].

The *Kim* reference fails to disclose this step and, therefore, fails to anticipate the claims herein.

Therefore, applicants respectfully submit that the rejection of Claims 18, 22, 24, and 26-27 under 35 U.S.C. § 102(e) as anticipated by *Kim* should be withdrawn.

The rejection of Claims 19, 21 and 23 under 35 U.S.C. § 103(a) in view of *Kim* taken with the patent of *Manzer, et al.*, (US 6,235,677) is traversed and reconsideration is respectfully requested.

The patent of *Kim* has already been discussed above and its lack of disclosure of the first steps of applicants' process has been pointed out.

The *Manzer* patent relied on in the Final Action does not show the feature of the invention recited in the claims herein.

Therefore, applicants respectfully submit that the combination of references fails to create *prima facie* obviousness. Accordingly, applicants respectfully request that the rejection be withdrawn and the claims allowed.

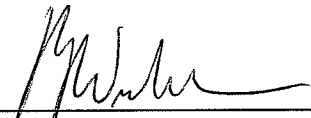
App. No. 10/747,778
Amend. w/RCE dated May 13, 2008
Resp. to Final OA of Nov. 15, 2007

Favorable action at the Examiner's earliest convenience is respectfully requested.

Respectfully submitted,

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